

Clean copy of the claims.

1. (Original) A method to reduce the injury to whales or other cetaceans entangled in underwater gear, said method comprising (a) incorporating into said gear at least one breakaway link that exhibits calculated material failure, (b) entangling a whale or other cetacean in said gear, (c) release of said whale or cetacean upon the administration to said link of a load generated by the struggling of said entangled whale or cetacean.

2. (Withdrawn) A system for the release of at least one cetacean from entanglement in underwater gear comprising:

(a) at least one floating buoy:

(b) underwater gear; and

(c) at least one breakaway link,

whereby the breakaway link is connected to both the floating buoy and the underwater gear, and

whereby the link will exhibit material failure when subjected to a load greater than 50 pounds but less than 11,300 pounds.

3. (Original) A method to reduce the injury to whales or other cetaceans entangled in underwater gear, said method comprising incorporating into said gear at

least one breakaway link that will exhibit material failure when subjected to a load greater than 50 pounds but less than 11,300 pounds.

4. (Original) The method of claim 3 wherein at least one breakaway link will exhibit material failure when subjected to a load of less than 2500 pounds.
5. (Original) The method of claim 3 wherein at least one breakaway link will exhibit material failure when subjected to a load 100 pounds to 2500 pounds.
6. (Original) The method of claim 3 wherein at least one breakaway link will exhibit material failure when subjected to a load 150 pounds to 2,000 pounds.
7. (Currently amended) A method to reduce the possibility of injury to whales or other cetaceans, comprising in any order
 - (c) attaching at least one breakaway link near at least one floating buoy attached to underwater gear;
 - (d) putting said underwater gear into water where whales or other cetaceans can exist,wherein the at least one breakaway link exhibits material failure when subjected to a load greater than 50 pounds but less than 11,300 pounds, whereby

the floating buoy is separated from the gear, and whereby the possibility of injury to whales or other cetaceans is reduced.

8. (Withdrawn) A breakaway link for underwater gear, said link comprising a body having two attachment openings, and wherein said body is thinner, narrower, or both, at a location between said attachment openings.
9. (Withdrawn) The breakaway link of claim 8 wherein said body is an elongated body.
10. (Withdrawn) A breakaway link comprising a loop, whereby said loop will exhibit material failure when subjected to a load of from 50 pounds to 11,300 pounds.
11. (Withdrawn) The breakaway link of claim 10, wherein the loop comprises a natural or synthetic material in the form of a rope or cable.
12. (Withdrawn) The breakaway link of claim 10, wherein the loop has a first end and a second end which ends are each equipped with a means for fastening said first end to said second end to thereby close the loop.

13. (Withdrawn) The breakaway link of claim 12, wherein the means for fastening is a hook and eye connection.
14. (Withdrawn) The breakaway link of claim 12, wherein the means for fastening comprises two hooks able to interconnect to each other.
15. (Withdrawn) The breakaway link of claim 12, wherein the means for fastening said first end to said second end comprises crimping with sleeves.
16. (Withdrawn) The breakaway link of claim 12, wherein the means for fastening said first end to said second end comprises crimping with staples.
17. (Withdrawn) The breakaway link of claim 12, wherein the means for fastening said first end to said second end comprises tight wrapping with wire.
18. (Withdrawn) The breakaway link of claim 12, wherein the means for fastening said first end to said second end comprises hot melting of the loop material.

19. (Withdrawn) A breakaway link comprising a section of rope that has been partially cut to exhibit a material failure upon administration to said rope of a load greater than 50 pounds but less than 11,300 pounds.

20. (Withdrawn) A breakaway link comprising a section of rope that has been narrowed in cross sectional area to exhibit a material failure upon administration to said rope of a load greater than 50 pounds but less than 11,300 pounds.

21. (Withdrawn) A breakaway link comprising a ball and socket means, whereby either the ball or the socket or both can be deformed upon administration to said link of a load greater than 50 pounds but less than 11,300 pounds, such that the ball is freed from the socket.

22. (Withdrawn) The breakaway link of claim 21, wherein the ball or socket is formed from plastic or rubber.

23. (Withdrawn) The breakaway link of claim 21, wherein the socket is equipped with a rubber or elastic collar which can be deformed upon administration to

said link of a load greater than 50 pounds but less than 11,300 pounds, whereby the ball is freed from the socket.

24. (Withdrawn) A breakaway link for underwater gear comprising a body which is planar, tubular elongated or cuboidal, and wherein said body has at least one location wherein the cross sectional area is reduced.

25. (Withdrawn) A device useful for incorporation into fishing buoy lines or fishing gear, said device comprising a body having fastening means for connecting said device to said fishing buoy line or fishing gear, and wherein said body has a portion for breaking upon the administration of sufficient load.